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Eric D. Babych
Name


Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: DE KONINCK, Yves, *et al.*) Docket: CU-4511
SERIAL NO: 10/556,221)
FILED: May 14, 2004) Group Art Unit: 1647
EXAMINER: LOCKARD, Jon McClelland)
TITLE: CNS CHLORIDE MODULATION AND USES THEREOF

THE COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450
MAIL STOP AMENDMENT

Sir:

This is in response to the Office Action dated February 10, 2009, having a shortened statutory period for reply set to expire on March 10, 2009.

REMARKS

In the Office Action, the Examiner made a restriction requirement, under 35 U.S.C. §121, between 10 groups of claims. Applicant elects the Group V claims, (Claims 44 and 49).

In view of the provisional election of Group V above, Applicant respectfully submits that the election of species as set forth in the Office Action is no longer applicable.

The above-noted elections are with traverse, as follows:

First, it is respectfully submitted that the present application is a national stage application under 35 U.S.C. 371. In this regard, Applicant respectfully refers to 37 CFR 1.499, which reads in part as follows:

If the examiner finds that a national stage application lacks unity of invention under § 1.475, the examiner may in an Office action require the applicant in the response to that action to elect the invention to which the claims shall be restricted.